

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15996 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)
=====

Ashok Prasad Verma @ Ashok Seth Son of Bharat Prasad Verma, R/o
Village- Karji, P.S.- Chainpur, District- Kaimur (Bhabhua) .
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman
For the Opposite Party/s : Mr. Sri Ashok Kumar
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Bhabhua

P.S. Case No. 99 of 2017 instituted for the offence under Section

(s) 7 of the Essential Commodities Act.

As per written report and the seizure list, the

informant who is Supply Inspector raided the shop of the

petitioner and other shop owners. It is alleged that two gas

cylinders, one full and another half full were recovered from the

sweet shop of the petitioner. It has been alleged that petitioner was

using the domestic gas cylinder as commercial.

The seizure list has been annexed with the

written report which does not bear signature of any employee of

the shop or the owner of the shop. There is only signature of

independent witnesses.



It has been submitted on behalf of the petitioner that similarly situated co-accused has been granted anticipatory bail by this Court vide Cr. Misc. No. 14991 of 2017.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Bhabhua P.S. Case No. 99 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua, subject to the conditions as laid down under Section 438(2) of Cr.P.C with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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